



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

PHILIP S. JOHNSON
JOHNSON & JOHNSON
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK NJ 08933-7003

In re Application of : DECISION ON PETITION
Doll, et al. :
Application No. 10/687,503 :
Filed: October 15, 2003 :
Docket No.: END-887CIP :

This is a decision on the petition under 37 C.F.R. § 1.137(b),
filed January 18, 2006, to revive the above-identified
application.

The petition is GRANTED.

This application became abandoned May 21, 2005 for failure to
timely file a proper reply to the Notice mailed April 20, 2005.
The Notice set a one shortened statutory period of time for
reply. No petition for extension of time in accordance with 37
C.F.R. § 1.136 was timely submitted. Notice of Abandonment was
mailed October 31, 2005

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be
accompanied by: (1) the required reply to the outstanding Office
action or notice, unless previously filed; (2) the petition fee
as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the
entire delay in filing the required reply from the due date for
the reply until the filing of a grantable petition pursuant to
37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal
disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required
pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance
with the provisions of 37 C.F.R. § 1.137(b). Accordingly, the
failure to timely submit a proper reply to the non-final Office
action is accepted as having been unintentionally delayed.

It is noted that a request for continued examination fee of
\$790.00 was submitted herewith. As the request for RCE was
prematurely submitted, i.e., application not subject to final
rejection, petitioners are entitled to a refund of this fee and

COPY MAILED
FEB 02 2006
OFFICE OF PETITIONS

may request such by writing to the Finance Office, Refund Branch. A copy of this decision should accompany any request for refund.

This application will be forwarded to Technology Center 3700 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



Alesia M. Brown
Petitions Attorney
Office of Petitions